

Order

Michigan Supreme Court
Lansing, Michigan

March 24, 2008

Clifford W. Taylor,
Chief Justice

135352-4

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

KENNETH HOBODY, Successor
Personal Representative of the Estate
of Donny Harrison, Deceased, and
APRIL HARRISON, Personal
Representative of the Estate of
Donny Harrison, Deceased,
Plaintiffs-Appellants,

v

SC: 135352, 135353
COA: 258114, 260666
Wayne CC: 03-331642-NH

HARPER UNIVERSITY HOSPITAL,
DETROIT MEDICAL CENTER, and
PAUL S. SWERDLOW, M.D.,
Defendants-Appellees.

KENNETH HOBODY, Successor
Personal Representative of the Estate
of Donny Harrison, Deceased,
Plaintiffs-Appellant,

v

SC: 135354
COA: 270471
Wayne CC: 06-601087-NH

HARPER UNIVERSITY HOSPITAL,
DETROIT MEDICAL CENTER, and
PAUL S. SWERDLOW, M.D.,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the October 18, 2007 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE in part the judgment of the Court of Appeals as to Wayne Circuit case no. 03-331642-NH and REINSTATE the order of the Wayne Circuit Court denying the defendants' motion for summary disposition in that case because the first personal representative is within the class of plaintiffs identified in this Court's order in *Mullins v St Joseph Mercy Hospital* (Docket No. 131879), 480 Mich 948

(2007). We REMAND this case to the Court of Appeals for consideration of the defendants' other issues that were not addressed in its opinion. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 24, 2008

Corbin R. Davis

Clerk